

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

DIVISION

GREG'S TRUCKING LLC

GREGORY HARDWICK

versus

JOHNNY CHICO FACTOR

THE LOCKTON COMPANIES LLC

RYDER TRUCKING AND LEASING

CIVIL ACTION NO. 4:10mc0532

ORIGINAL COMPLAINT

- ① I GREGORY HARDWICK A CITIZEN OF THE STATE OF TEXAS AND RESIDENT OF HARRIS COUNTY TEXAS.
- ② DEFENDANT JOHNNY CHICO FACTOR IS AN INDIVIDUAL THAT RESIDES IN SEMINOLE OKLAHOMA AND CAN BE SERVED AT P.O. BOX 96 6-3 SEMINOLE, OKLAHOMA, 748689 OR 35663 E W 1260 SEMINOLE OKLAHOMA, 74868.
- ③ DEFENDANT THE LOCKTON COMPANIES LLC IS A BUSINESS ENTITY DOING BUSINESS IN THE STATE OF MISSOURI, THE AGENT OF SERVICE CAN BE SERVED AT 444 W. 47th ST SUITE 900 KANSAS CITY MISSOURI. 64112
- ④ DEFENDANT RYDER TRUCKING AND LEASING IS A BUSINESS THE AGENT OF SERVICE CAN BE SERVED AT 6892 S. YOSEMITE COURT SUITE 2-201 CENTENNIAL COLORADO 80161

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⑤ I GREGORY HARRIS SUSTAINED INJURIES AND DAMAGES ON DECEMBER 30, 2008 AS A DIRECT RESULT OF THE ACTIONS OF THE NEGLIGENCE OF DEFENDANTS, ON OR ABOUT DECEMBER 30, 2008, AT OR NEAR MILE MARKER 16 ON INTERSTATE HIGHWAY 40, BECKHAM COUNTY OKLAHOMA, DEFENDANT JOHNNY CHICO FACTOR NEGLIGENCELY OPERATED HIS VEHICLE IN SUCH A MANNER CAUSING IT TO COLLIDE WITH ME ON THE ROADWAY.

⑥ DEFENDANT JOHNNY CHICO FACTOR WAS AT ALL TIMES MATERIAL HERETO ACTING IN THE COURSE AND SCOPE OF HIS EMPLOYMENT AS AN AGENT, SERVANT, OR EMPLOYEE OF DEFENDANT THE LOCKTON COMPANIES INC. DEFENDANT LOCKTON COMPANIES INC. IS RESPONSIBLE FOR THE NEGLIGENCE OF ITS AGENT, SERVANT OR EMPLOYEE, JOHNNY CHICO FACTOR UNDER A THEORY OF RESPONDEANT SUPERIOR.

⑦ DEFENDANT JOHNNY CHICO FACTOR WAS AT ALL TIMES MATERIAL HERETO ACTING IN THE COURSE AND SCOPE OF HIS EMPLOYMENT AS AN AGENT, SERVANT, OR EMPLOYEE OF THE DEFENDANT RYDER TRUCKING AND LEASING IS RESPONSIBLE FOR THE NEGLIGENCE OF ITS AGENT, SERVANT

OR EMPLOYEE, JOINTLY LITIGATED FACTOR UNDER A THEORY OF RESPONDEANT SUPERIOR.

⑧ AS A DIRECT AND PROXIMATE RESULT OF THE ABOVE DESCRIBED ACTIONS OF DEFENDANTS, I WILL SHOW THAT I HAVE SUFFERED ACTUAL DAMAGES FOR WHICH I SEEK RECOVERY.

THE DAMAGES ARE AS FOLLOWS:

- A) THE LOSS OF MY COMPANY
- B) THE LOSS OF MY COMMERCIAL VEHICLE
- C) PHYSICAL PAIN/SUFFERING
(FROM THE DATE OF THE ACCIDENT)
- D) PHYSICAL PAIN/SUFFERING
(WHICH WILL BE SUFFERED AFTER THE DATE OF THE VERDICT)
- E) MENTAL ANGUISH
(WHICH HAS BEEN SUSTAINED FROM THE DATE OF THE ACCIDENT)
- F) MENTAL ANGUISH
(WHICH WILL BE SUFFERED AFTER THE DATE OF THE VERDICT)
- G) REASONABLE AND NECESSARY COST OF MEDICAL CARE AND TREATMENT INCLUDING DOCTORS, HOSPITAL, NURSES, MEDICINES AND OTHER

SERVICES AND SUPPLIES FROM THE DATE OF THE ACCIDENT

- H) ~~RESPONSIBLE~~ ^{REASONABLE} AND NECESSARY COST OF MEDICAL CARE AND TREATMENT INCLUDING DOCTORS, HOSPITALS, NURSES, MEDICINES AND OTHER SERVICES AND SUPPLIES WHICH WILL BE INCURRED IN THE FUTURE AFTER THE VERDICT.
- I) PHYSICAL IMPAIRMENT (FROM THE DATE OF THE ACCIDENT)
- J) PHYSICAL IMPAIRMENT (FROM THE DATE AFTER THE VERDICT)
- K) LOST EARNINGS / EARNING CAPACITY (SUSTAINED FROM THE DATE OF THE ACCIDENT AND IN THE FUTURE AFTER THE VERDICT)
- L) LEGAL EXPENSES AND COURT COST

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